

MICHAEL N. FEUER, City Attorney (SBN 111529x)
THOMAS H. PETERS, Chief Assistant City Attorney
CORY M. BRENT, Supervising Assistant City Attorney
GEOFFREY PLOWDEN, Deputy City Attorney (SBN 146602)
200 N. Main Street, 6th Floor, City Hall East
Los Angeles, California 90012
Email: geoffrey.plowden@lacity.org
Tel: (213) 978-7038 Fax: (213) 978-8785

Attorneys For Defendants CITY OF LOS ANGELES, CHARLIE BECK,
JEFFREY BERT and ANDREW SMITH

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

CHARMAINE CHUA, TORIE
RIVERA, LYDIA HICKS, and KYLE
TODD, individually and on behalf of a
class of similarly situated persons, and
the NATIONAL LAWYERS GUILD,

Plaintiffs,

vs.

CITY OF LOS ANGELES, a municipal
entity, CHIEF CHARLIE BECK,
COMMANDER ANDREW SMITH,
CAPT. JEFF BERT, and DOES 1 - 10,
inclusive,

Defendants.

Case No.: CV 16-00237 JAK (GJSx)

Honorable Judge: John A. Kronstadt

Honorable Magistrate Judge: Gail J. Standish

**DECLARATION OF
GEOFFREY PLOWDEN**

HON. JOHN A. KRONSTADT

I, Geoffrey Plowden, Declare as follows:

1. I am an attorney at law, duly admitted to practice before this Court.
2. On November, 28, 2018, the Court issued an order moving the motion for general damages to February 4, 2018. I did not receive the order as I was out on medical

1 leave. I was unaware of the January 7, 2019 due date, reflected in that order. I suspect
2 the staff in my absence calendared the due date for any opposition for January 14,
3 21 days before the hearing. When I returned to work I was not given the earlier due
4 date.

5 3. Last week, my office reached a settlement with plaintiffs as to the entirety
6 of the case, subject to the Court's approval and City Council's approval. On January 7,
7 2019, I had email correspondence with plaintiff's counsel and was led to believe a
8 notice of settlement would be filed promptly with the Court, and certainly by January
9 14, 2019, the suspected (but erroneous) due date for defendants' opposition. That has
10 not been done, but will be done momentarily.

11 4. As such, I believed not only was a non-opposition going to be rendered
12 moot by the notice of settlement (and a request that all dates be taken off calendar), but
13 that defendants' response to the motion was not due until Monday.

14 5. I apologize for any delay or confusion that my misunderstanding has
15 caused the Court. I have worked diligently to resolve this rather complicated case, and
16 lessen the burden on the Court's docket. If I can assist in any way further, I am happy
17 to help.

18 I declare under the penalty of perjury, under the laws of the United States of
19 America, that the foregoing is true and correct. Executed this 10th day of January, 2019
20 at Los Angeles, California.

21 */S/ Geoffrey Plowden*

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23 **GEOFFREY PLOWDEN**
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